

SAYS WOMAN'S FORECAST.
Day and to-morrow: moderate
heat and east, shifting to west winds.
Highest temperature yesterday, 76; lowest, 68.
Detailed weather reports will be found on editorial page.

PRESIDENT PASSES SENATE'S TROUBLES BACK TO SENATORS

Lodge, Chief of Rescue
Squad, at White House,
Invited to Call Again.

BONUS THE BIG ISSUE

Plan Is to Try to Have the
President Denounce the
McCumber Bill.

ENTIRE SCHEME MAY FAIL

Executive Said to Be Reluctant
to Shoulder Troubles
of Congress.

By LOUIS SEIBOLD.

Special Dispatch to THE NEW YORK HERALD.

New York, July 14.—President Harding manifested only

moderate interest in the demoralized legislative situation which was briefly outlined to him by Senator Lodge to-day.

The situation in the Senate which was tersely described as "rapidly getting no better" was viewed by the President as not nearly so important as some of the acute industrial problems immediately demanding his attention.

The half-hour conference between the President and the Senate leader is understood to have turned chiefly on the demands coming from every part of the country for a solution of the fuel problem.

At any rate the President clearly indicated to Mr. Lodge that the Republican majority in the Senate would have to get along the time it could without his assistance for the time.

He held out the hope that circumstances might permit him to receive a committee headed by Mr. Lodge in the next day or two to decide on a program which will stand a chance of getting through the Senate within a reasonable time.

The committee is expected to be headed by Mr. Lodge, who has previously warned against manifestations of any kind. The defendant betrayed no emotion, even when Charles Spenger of Irvington, foreman of the jury, boomed out a stentorian "Not guilty!"

His demeanor throughout the trial has given the impression of such confidence in his innocence that a vindication caused neither relief nor surprise.

Mrs. Grace Kluxen, his mother, collapsed when the verdict was announced. She had expected a quick verdict of acquittal and after two hours of waiting, she became particularly nervous, clasping and unclasping her hands, wiping her face constantly with her handkerchief and praying.

Charges Religious Hate.
The remarks of Elmer King, chief counsel for the defense, who showed the resentment felt by the family over what they term their persecution by the residents of the small community of Madison. One of the grounds advanced for the unpopularity of the Kluxen family was religious antagonism.

Mrs. Kluxen is a devout Catholic, and the boy's uncle is engaged in the manufacturing of sacramental wines. One of the contentions of the defense was that the process of putting the grapes through the presses was responsible for the red stains on the boy's khaki trousers and shirt.

Commenting upon the verdict Attorney King said: "The best jury Essex county could furnish found the defendant not guilty. I hope the verdict will still the public clamor and the virus manifested against this boy by the people of the borough of Madison. During the trial this lad has not had one kind word from any one in Madison."

Soviets Oppose Lenin Going Into Germany

Special Cable to THE NEW YORK HERALD.

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New York, July 14.—The Soviet Government is making a determined fight against the efforts of German doctors to take Lenin to a German sanatorium.

They insist that he remain at Livadia, in the Crimea, the health resort of the late Czar, or at Krimki, in the Caucasus. Moscow dispatches state that the Russian Premier's condition remains critical.

KLUXEN BOY FREED IN MURDER OF GIRL

Counsel Says Public Clamor
and Religious Hate Led to
Prosecution.

JURY OUT THREE HOURS

Defendant Shows No Emotion
Even When Foreman An-
nounces 'Not Guilty.'

Francis Kluxen 3d was acquitted

yesterday in the Supreme Court at Morristown, N. J., of the murder of Janet Lawrence, the eleven-year-old girl whose body pierced with knife wounds was found under a log in Kluxen's Woods, near Madison, N. J., on October 6 last.

It took a jury imported from Essex to Morris county three hours to determine the innocence of the fifteen-year-old defendant. An attempted demonstration over the verdict was checked sharply by Justice Charles W. Parker, who had previously warned against manifestations of any kind.

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The feeling in Madison apparently spread to the surrounding country, for in spite of the fact that the defendant and excitement in Morristown during the trial there was no attempt at a jubilation over the verdict as the Kluxen boy pushed his way through the crowd and stepped into the automobile to take the family back to his home.

The only comment he made was, "I'm glad it's all over. Now I can go home." A few of the townspeople waved their hands, but most of them stood silent in clusters around the side door of the old brick Colonial court house.

The fact that the defendant was acquitted and the fact that feeling in the county was no stronger than Justice Parker refused to intrust the case to a native county jury made the case one of the most unusual in the history of the county. The prosecuting attorney, J. Henry Harrison, also was brought in from the neighboring county of Essex.

He and C. B. Blum, who was the second person to be tried for the murder. The first was Frank Janacek, who was tried and acquitted. The confession which he is alleged to have made to a Morristown resident named Frank (Slim) McGilroy admitting the murder was admitted by the defendant. The confession was admitted by the defendant. The confession was admitted by the defendant.

RAND SCHOOL LOSES IN SUPREME COURT; LUSK LAW IS UPHOLD

Appellate Division Holds
Attorney-General Is En-
titled to Injunction.

ACTION TO BE RUSHED

Institution Must Get Ap-
proval of University of
State of New York.

GREENBAUM DISSENTS

Hillquit Says Decision Sweeps
Away Safeguards of Free
Press and Speech.

The Appellate Division of the Su-

preme Court, First Department, yesterday upheld the constitutionality of the Lusk school licensing law and decided that Attorney-General Charles D. Newton was entitled to an injunction restraining the Rand School of Social Science, 7 East Fifteenth street, from conducting classes without obtaining a license from the University of the State of New York.

Upholding the statute as enacted "within the police power of the State," the Appellate Court found also that it revealed "a clear legislative intent to guard against teachings which would lead to the commission of crimes and offenses contrary to our laws" and aimed "to prevent the teaching and promulgation of doctrines and propaganda for the overthrow by force and violence of governments and the breaking down of civilized society."

Merrell's Opinion.
Justice Samuel Greenbaum dissented from the opinion, written by Justice Edgar S. K. Merrell, in which Presiding Justice John Proctor Clarke and Justices Walter Lloyd Smith and Alfred R. Page concurred. Justice Merrell wrote in part:

"The act, we think, is clearly limited to school curricula and prohibits teaching of doctrines inimical to our form of government and tending to the destruction of organized government by force and violence. There can be little question that it is within the power of the Legislature to enact statutes for the preservation of the State and to prevent the teaching of doctrines advocating destruction of the State by force."

"We think the Legislature has as much right to enact a statute to prevent promulgation of doctrines inimical to our form of government, the putting into effect of which would lead to the conviction of those who had adopted such doctrines under existing penal law, as to punish those who were guilty of violating such penal law."

Samuel A. Bergen, Special Deputy Attorney-General, in charge of the appeal for the Attorney-General, learned of the favorable opinion of the court from this New York Herald late yesterday afternoon, and telephoned to the court building at Madison avenue and Twenty-fifth street. When he read the opinion he said he would begin immediately to prepare the papers to put the restraining order into effect against the Rand School.

Hillquit to Appeal.
Morris Hillquit, who represented the Rand School, issued a statement that the decision would be appealed to the Court of Appeals, and, if necessary, to the United States Supreme Court. Pending appeal he indicated that he would attempt to obtain a stay of the injunction.

"The decision is of extraordinary and far-reaching public importance," Hillquit said. "It is, as far as I know, the first adjudication by an authoritative American tribunal which sanctions the institution of preliminary censorship."

"If the Legislature may provide for an examination of a citizen's views before allowing him to conduct a course of private instruction, it may prohibit the publication of newspapers without a license and withhold the license if the proper authorities deem it likely the publication will voice dangerous political views."

"The decision sweeps away all constitutional safeguards which have been thrown around freedom of press and speech, and it is the door to an oppressive American tribunal which sanctions the institution of preliminary censorship."

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Expected to Identify Herrin Mob's Leaders

Special Dispatch to THE NEW YORK HERALD.

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New York, July 14.—Mob

leaders in the recent massacre of nineteen non-union men near the Lester strip coal mine may soon be under arrest and the identity of scores of participants in the slaughter known as the result of the investigation being conducted by Attorney-General Edward J. Brundage, who arrived in "Bloody Williamson" county this morning.

Mr. Brundage went to Marion first and repeated his recent announcement in Chicago that \$10,000 will be paid to any one for information leading to identification of members of the mob. He declared that responsibility for the killings rests upon the county. He conferred with State's Attorney Delos Duty.

The third striking miner to die in the war here succumbed to-day. Evidence and statements from witnesses will be used to establish the identity of the actual leaders of the mob that murdered nineteen men after they had surrendered under a flag of truce.

JUDGE AT LAKEWOOD MARRIED THE GOULDS

Harry Newman Tells of Cer-
emony in His Parlor About
Dusk on May 1.

BRIDEGROOM ADMITS IT

Tells 'The Herald' He and
Bride Will Stay at Aix-les-
Bains for the Cure.

Special Dispatch to THE NEW YORK HERALD.

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Lakewood, N. J., July 14.—In

the front parlor of the home of a country Judge, George Jay Gould and Genevieve Sinclair were married on May 1. That was the information smilingly given out to-day by Harry E. Newman, Judge of the Common Pleas Court of Ocean county, in which Lakewood is located, who said he performed the ceremony in his home, 227 River avenue, Lakewood.

With that statement the Judge cleared up a mystery that caused no end of speculation on two continents and kept the cables between Europe and America busy for the last week. The Judge left unanswered the most important question of all. Women everywhere will exclaim, "How like a man!" For, painful as it is to write it, the Judge, to save his life, cannot remember what the bride wore.

"It was brown, I think, or maybe it was something blue," the Judge exclaimed, "perhaps it was purple. Anyway, I believe it was what they call a traveling dress—whatever that is."

Judge Attorney for Gould.
On other details the Judge's recollection was excellent. He performed the ceremony in the evening just as it was getting dark. The marriage license had been procured previously from J. Edgar Merrell, the county clerk, and the Judge was sitting on his porch when one of the Gould limousines, a familiar equipage in Lakewood, drove up.

The chauffeur remained at the wheel, but Mr. Gould, the bride-to-be, and Beatrice Hoskins, her companion, alighted. Mr. Gould and the Judge exchanged greetings for they had been friends for a quarter of a century. The Judge also is Mr. Gould's legal adviser and drew up the will of the former Mrs. Gould, who died on the private golf links of Georgian Court, the Gould's Lakewood place, which is only three-quarters of a mile from the Judge's home. Presumably the ceremony was performed in consultation for the Judge was appointed by Gov. Edwards to the bench only a month before the wedding.

Two Women Witnesses.
The party was ushered into the parlor, and as they stood there for a moment, looking at the old fashioned simplicity of the room, the Judge went upstairs and called his wife. Mr. Fisher then appeared and in the presence of Mrs. Newman, Miss Hoskins and Mr. Fisher, the ceremony was performed. It was over in a few minutes. After the Judge and the others had congratulated the bride and Mr. Gould had said he would spend the night at Georgian Court and leave for New York and position.

Continued on Page Three.

B. R. T. TO INCREASE SERVICE 100 TRAINS AUG. 15 AND 35 LATER

Will Buy Fifty New Cars
on Orders of Transit
Commission.

NEEDS NO NEW MONEY

Plans to Provide a Seat for
Every Passenger in Non-
Rush Period.

TO SCRAP WOODEN CARS

Augmenting of Daily Capacity
as High as 70 Per Cent. on
Some Divisions.

The Transit Commission announced yesterday that it had ordered the subway and elevated lines of the Brooklyn Rapid Transit Company to operate 100 additional trains daily and to purchase immediately fifty new steel cars to replace the old wooden or partly wooden cars now operating in the Centre street loop.

The orders were served on the company and its receiver, Lindley M. Garrison, on Thursday afternoon, and become effective on August 15. Sixty trains will be added to the non-rush hour schedules and forty to the rush period. Next autumn the company will be required to provide a further addition of thirty-five trains daily.

The delivery of the fifty new steel cars the company will be permitted to use 100 metal sheathed cars in the Centre street loop, but the 250 old wooden cars now in service will be withdrawn in a short time and an all steel equipment will be put on the rails.

No New Money Needed.

Mr. Garrison, speaking for the company, already has accepted the orders. He said: "The service order, as the commission points out, having been worked out in cooperation with Judge Mayer and the receiver, will be accepted. The order for fifty new cars was likewise accepted. The purchase of the new cars will require no new financing. It is understood that they are to be purchased out of funds now on hand which the depreciation fund board created under Contract No. 4."

The order includes provision for increased service during the middle of the day by the Monday street tunnel. "The additional car mileage, effective August 15, will be approximately 9,000 during the non-rush hours and 3,000 during the rush hours."

"In non-rush hours all the lines are required to provide the equivalent of a seat for every passenger. The company is directed to order at once and to equip fifty new steel cars, so as to permit the removal of the last of the partial wooden cars from the Centre street loop. Every effort is to be made to have this new equipment ready for service during the coming winter."

"The commission stated that in providing the increased subway and elevated service and in the provision made for the financing of the purchase of new cars it has had the active and sympathetic cooperation both of Judge Mayer of the Federal Court and of Receiver Garrison. About \$250,000 will be spent upon the cars, notwithstanding the fact that the company is still in receivership."

How the Service Will Be Helped.

"The headway between trains will be affected as follows: 'On the local tracks of the Broadway-Fourth avenue subway there are now three lines operating, giving a combined interval of two and a half minutes between trains in service from Whitehall street to Fifty-seventh street, Manhattan. The extension of this service to Prospect Park, Brooklyn, which the

Continued on Page Three.

HARDING MAY RUN ROADS IF STRIKE IS NOT SETTLED; PEACE MEETINGS STARTED

WAY IS CLEARING

Outside Circles Believe
Both Sides Are Nearer
to Agreement on
the Issues.

PARLEYS TO CONTINUE

Labor Leaders Hear Shop
Crafts Themselves Must
Settle Points.

OILERS JOINING STRIKE

Grable Making Efforts to Hold

400,000 'Way Men' to
Their Contract.

CHICAGO, July 14 (Associated Press).

The second week of the railway shopmen's strike ended to-night with the Railroad Labor Board, the shopcrafts representatives and the railroad maintained silence regarding negotiations looking toward a settlement of the walkout.

The issues involved in the strike were clearly defined and discussed at length, but no conclusions were reached as the result of a conference to-day between representatives of the railroads, the shopmen and the United States Railroad Labor Board, according to statements issued to-night by Chairman Ben W. Hooper of the board and B. M. Jewell of the shopmen.

Chairman Hooper hurried to the conference after a meeting with L. F. Loree, president of the Delaware and Hudson Railroad, and T. E. Crowley, vice-president of the New York Central lines. The nature of this meeting was not revealed.

While the parley was under way between Chairman Hooper and Mr. Jewell, there were indications elsewhere that the general trend of the strike situation was toward peace. E. F. Grable, head of the United Brotherhood of Maintenance of Way Employees and Railway Shop Laborers, who held a midnight conference here last night with Mr. Jewell, left for Washington to-day, where it was said he expected to see the President.

Jewell's Statement.

Following the conference, Mr. Jewell made this statement: "Representatives of the railway employees again showed by meeting in conference to-day a readiness to cooperate with the efforts being made to bring about an agreement between the railroads and the shopcrafts men."

"The issues in the present controversy would concern the subject of discussion, but it would be obviously improper for me to give any details of the discussion. It would be fair to say that no conclusions have been reached, but also fair to state my own opinion that now, as throughout the hearing before the Labor Board, the principal obstacle in the way of peace is the financial controllers of the railroads, who are the product of a general anti-labor program, rather than in the interest of the transportation service of the country."

"Refusal of the railway executives to meet in conference with the representatives of the employees does not, in my opinion, represent the free will decision of the majority of the executives, but merely the dictation of the financial interests."

"We are preparing and will shortly publish a statement of the case of the railway shopmen, wherein we shall demonstrate that the policies of the railway executives, who have brought about the widespread controversy with the railway employees, are the product of a banking combination which controls 85 per cent. of the railroad mileage."

"If the active operators of the railroads were free to manage these properties, instead of being compelled to follow banking dictation, peace would not be difficult to maintain upon the American railway system."

Mr. Grable indicated that the only contingency that might result in a strike was a determination on the part of the carriers to force the maintenance of way men to do the work regularly done by the striking craft, a practice against which the labor board ruled in an opinion last week.

Continued on Page Two.

90,000 Railroad Workers Vote to Join Shop Strike

CLEVELAND, July 14.—Members of the American Federation of Railroad Workers employed here voted to-night to join the shopmen's strike at 9 o'clock Monday morning, according to an announcement by officials of that union. The union, which has no connection with the American Federation of Labor, has a membership of 90,000.

Approximately 1,200 pipefitters, car repairers, painters, freight car repairers and inspectors will be affected here, the officers declare. The fact that the inspectors are included, they say, will hinder traffic at once.

FULLER INDICTED; EVADES DETECTIVES

Faces Thirteen Bucketing
Counts With His Partner,
Wm. F. McGee.

NEITHER ONE APPEARS

Banton Warns 'Underlings'
That He Won't Condone
Any Complicity.

Edward M. Fuller and William F. McGee, members of the Consolidated Stock Exchange brokerage firm of E. M. Fuller & Co., which recently failed for \$5,000,000, were indicted yesterday on charges of bucketing stock orders.

The indictments included thirteen counts and were turned over to Judge Mancuso by the Grand Jury early in the day. The men are accused of bucketing orders of from \$350 to \$4,100.

All afternoon District Attorney Banton and Assistant District Attorney Schreiber waited for Fuller and McGee to appear in the Criminal Court Building and post bail bonds. It was said that the two men telephoned soon after noon that he had communicated with his clients and that they had promised to come directly to his office. He added that he would conduct them to Mr. Banton's office at once. They would have been arraigned for pleading before Judge Mancuso.

Neither man put in an appearance. Toward 4 o'clock counsel for Fuller and McGee telephoned Mr. Banton, saying that it was regrettable that the lawyers could not get the clients at the designated time and place of, rather, the accused men had not met the lawyer.

Built Case Without Books.
Detectives Sullivan and Russo were sent out to fetch the two brokers in under arrest. Presently Sullivan returned, reported to Mr. Banton and then left the building. The District Attorney's company. The word went out that Fuller and McGee had not been apprehended. One of the officials in the District Attorney's office said that there was little hope that either of the men would be arrested last night. Just what he meant to convey by that statement remained a mystery. There was no one who would admit that Fuller and McGee were fugitives from justice and still no one to say that the District Attorney's office knew where the indicted brokers were.

Not the least interesting phase of the indictments was that having to do with the fact that they were returned without Mr. Schreiber, who presented the evidence, having had access to the books of the E. M. Fuller company. Unable to get the books, he proceeded to build up his case without them. He had the affidavits of persons and concerns doing business with the Fuller concern, and he was able to subpoena and pursue the books of brokers through whom the defunct house manipulated accounts. From such papers he was able to compile sufficient data to convince the Grand Jury that indictments were necessary.

This, according to Mr. Banton, is the first time that such indictments have been returned without the prosecuting officer having first had access to the defendant's books.

That the business of summoning sufficient evidence to convince the Grand Jury was difficult was admitted by Mr. Banton, who encountered a somewhat baffling disposition among the major employees of the defunct brokerage concern to frustrate his and Mr. Schreiber's efforts to get facts.

Warns Subordinates.

While neither Mr. Banton nor Mr. Schreiber would be specific in fact, the latter declined to discuss the indictments and their accomplishment at all. The District Attorney issued a statement in which he gave over-enthusiastic "fair warning" that he is about through condoning loyalty if he is led to believe such loyalty is tantamount to defeating the ends of justice. The statement reads:

"It has been my desire as a prosecutor to have the United States Army, Navy and Marine Corps, and the Federal Government can give. Such protection would be the United States Army."

BOARD RELIED ON

Optimism of Capital
Prompted by News
It Receives From
Chicago.

READY FOR EMERGENCY

Harding Will Draft Work-
ers if No Agreement Can
Be Reached.

COAL MEN STILL APART

Government Gets Reports of
Fewer Interferences With
the Mails.

Special Dispatch to THE NEW YORK HERALD.

New York, July 14.—An early end of the railroad strike

is being hoped for by the industrial circles, but the declaration that it is to be reached by the railroad executives and the shop unions is expected by the Administration.

The situation in regard to the coal strike is not so hopeful, although officials believe both sides will agree to the President's settlement proposal. President Harding, secure in the assurance that he has limitless power to meet any emergency, is prepared, if it becomes necessary, to go the limit in drafting workers to man railroad trains and to operate coal mines. Any such action would be taken, however, only in a well developed emergency.

In this position, the President has the backing and support of Congressional leaders. He has received assurance that if necessary both Houses of Congress will be assembled to give any needed authority and to back his hand in protecting the country from suffering or violence.

The entire time of the Cabinet was given to-day to discussion of the industrial crisis engendered by the two strikes, to the efforts toward settlement and the steps to be taken to meet emergencies as they arise. New assurance was given following the meeting that the Administration will not hesitate to use the regular army to put down lawlessness.

Disorders Decrease.

Reports to Government departments were that there was less interference with the mails and a lessening of disorders. The President and Cabinet were closely advised as to the progress of negotiations in Chicago toward settlement of the railroad strike, and it was the tenor of this information which brought optimism.

Samuel Gompers, president of the American Federation of Labor, had similar information, but he declared that if any settlement was reached the Railroad Labor Board would be a "fifth wheel." His statement was made in a newspaper conference in which he outlined the events preceding and following the strike. He challenged what he termed efforts of the Administration and the President to bring the striking railroad workers in the position of being in controversy with the Government when they were only in controversy with the railroads.

After the Cabinet meeting the President made known his belief that the Executive "has power in any well established emergency which is almost limitless." The President is assured that he has the power to take any step in either the railroad or coal mine situation even to manning and operating the properties. The President's statement was made in a newspaper conference in which he outlined the events preceding and following the strike. He challenged what he termed efforts of the Administration and the President to bring the striking railroad workers in the position of being in controversy with the Government when they were only in controversy with the railroads.

Not Afraid of His Course.

It was stated at the White House that there could be but one challenge to any action that the President took in agency and that that would be a move to impeach. President Harding, it was made known, is ready and willing to run the risk of impeachment if it becomes necessary to take action in the interest of the people.

Administration leaders will not make known the actual steps to be taken in an emergency which threatens the safety of the people or of the country. Congress is prepared to give full authorization for the taking over of coal mines and railroads on the same basis as war-time railway operation. The President and his advisers, however, are understood to be averse to such a course. They would prefer, it is known, to operate either or both with Government forces or with private volunteer forces under the fullest protection that the Federal Government can give. Such protection would be the United States Army.

Before the Cabinet meeting President Harding was given assurances by Senator Lodge (Mass.) that the Senate was ready to take the tariff, the bonus, ship subsidy and, in fact, the entire legislative program to support his hand with any legislation deemed necessary.

Following the Cabinet meeting Secretary Weeks said the regular army was ready for service. He indicated that the Administration would not prefer the use of State troops in any serious disorder, but would rely on the regular army to have it handled by the more experienced men in the regular army. All army corps commanders have been informed that they may be called upon and to be ready.

Reports received by the War Department through the Department of Justice and the Post Office Department indicated that the situation with regard to disorder and mail movement was worse in Denison, Tex., in Missouri, Kansas,